Office of the Commissioner of Official Languages
Commissariat aux langues officielles

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All aboard with Leon

You don't know me? I am the engineer at the controls of the official languages train. Did you know that Dyane Adam recently introduced OCOL's **Leon Award for Leadership**? Each year, this award will pay tribute to the head of a federal institution who has shown distinguished leadership in promoting linguistic duality and implementing the Official Languages Program in their institution. As you can imagine, it is quite an honour for me to be chosen as the symbol of this award. You have not heard the last of me!

I forgot to mention that I come from Eastern Canada. The Federal Councils in the Atlantic region created me, and during the Symposium on Official Languages held in Charlottetown in October 2001, they presented me to the Commissioner. Since then, I have been supporting her in her various tasks, especially in helping to get linguistic duality back on track.

Since I am aware of all the Commissioner's activities and very familiar with the itinerary of the official languages train, INFOACTION asked me to tell you about the key points of her third annual report, which I was happy to do. One word of advice: this issue of INFOACTION can present only a general overview. If you have the time, read the entire annual report. Then you will be an informed passenger on the official languages train.

All aboard! Enjoy the tour.

A Word from the Commissioner The train pulls out of the station

My third annual report covers the year ending March 31, 2002. In it I once again encourage the Government of Canada to speed up and remind it of the need for diligence. It is time to put our linguistic duality squarely back on track and to deliver the goods as promised.

In my first annual report, I criticized our leaders' indifference to official languages and urged them to take prompt action to correct the situation. In my second annual report, I was pleased to note that the train's whistle had sounded, and that the train was about to leave the station. The 2001 Speech from the Throne clearly announced the Government's intention to take action to recognize and promote linguistic

duality.

This year's report takes stock of measures taken by the government to follow up on its commitment. It also gives us the opportunity to ask the question: has the train really pulled out of the station? If I ask the question, it is because the issues are important and pressing. My report points out the numerous examples of the Canadian government's commitment and highlights commendable isolated initiatives. However, the government must not limit the implementation of the *Official Languages Act* to a succession of incoherent mini-reforms without a clear end goal. Once again, this report strongly calls on the government to carry out its obligations and to move quickly to develop a comprehensive vision that includes objectives, deadlines and performance evaluations to ensure the successful implementation of an action plan. Canadians, who have a right to genuine leadership and respect regarding official languages, demand that their government articulate such a vision.

Language rights are fundamental values and civic virtues which have become even more important in the aftermath of the events in the United States on September 11, 2001. These events remind us of the importance of solidarity in defending our rights and freedoms. The commemoration of the 20th anniversary of the *Canadian Charter of Rights and Freedoms* also calls on us to defend these values. Not only does the Charter give legal expression to the rights and values Canadians cherish, but it also embeds these rights and values within a specific social, cultural and linguistic setting, and thus reflects the existence of the two major language communities.

The official languages train really has pulled out of the station. Now the crew needs to pick up the pace. Despite some problems, I am confident the route will not be too hazardous. Last June, the President of the Privy Council and Minister of Intergovernmental Affairs, Stéphane Dion, released the key orientations of the federal government's action plan on official languages. He is on the right track, and I am counting on him to ensure that the official languages train does not derail over the coming fiscal year.

This issue of INFOACTION presents a very general overview of the key points of the 31st annual report of the Commissioner of Official Languages. I hope that these few pages express my firm resolve to persuade federal institutions to permanently anchor linguistic duality in their organizational culture.

Hope you enjoy reading with LEON!

Dyane Adam

The key milestones for Leon

When beginning your travels through the annual report, you should be aware that the document is made up of seven main roads that we are calling "chapters." There is a lot of material to cover!

Here, briefly, is what you will find.

- ***The first three chapters*** describe in succession the importance of linguistic duality as a Canadian value, efforts by our political and administrative leaders over the past year to promote linguistic duality, and the various roles of the Commissioner as agent of change.
- ***Chapters four and five*** examine how the federal government has carried out its language responsibilities where service to the public, language of work, and equitable participation by both language groups in the public service are concerned.
- ***The last two chapters*** present the action taken by the Commissioner over the past year to help promote linguistic duality and enhance the vitality of official language minority communities. You will notice that she and her team are true agents of change.

This outline will guide you in reading the annual report.

Many things must change and some have

On being appointed in 1999, the Commissioner set herself the mandate of becoming an agent of change, so that Canada's political and administrative leaders can continue to reinforce our linguistic fabric. OCOL has considered

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- on-line: under the heading "Contact us," click on "Orders."

how to focus this mandate and optimize the Commissioner's influence. From this reflection process, three main avenues have emerged:

- using a proactive approach focused on awareness and prevention as the Commissioner assesses compliance with the Act;
- mobilizing the public service around the concept of linguistic duality and encouraging public servants, each in their area of activity, to give concrete expression to Canada's language policy; and
- co-ordinating OCOL's activities, in order to advance simultaneously on several fronts.

The annual report describes various ways of promoting the change desired by Commissioner Adam, through six key roles. Here's a brief description of these complementary roles, along with the activities that fall under each one.

4. THE MONITORING ROLE OF THE COMMISSIONER This role consists in taking preventive action by intervening when bills, regulations and policies are being drafted in order to ensure that language rights are front and centre among our leaders' concerns. Over the past year, the Commissioner exercised this monitoring role in a number of fields including immigration, sport, and transportation.	• Seven appearances before parliamentary committees. • Some 220 analyses, studies (published or not) and briefing notes. • Intervention in 12 major issues such as immigration, the legal scope of language rights, the Internet, broadcasting, minority language education and health.
5. THE PROMOTION AND EDUCATION ROLE OF THE COMMISSIONER The *Official Languages Act* gives the Commissioner a clear duty to promote linguistic duality, not only in the federal government but also in Canadian society. This role is carried out in a number of ways, for example, by doing research and publishing studies, through public awareness activities such as giving speeches and participating in symposiums, etc.	• Some 250 interviews were given to the media. • Some 1,800 references to the Commissioner and/or OCOL in the national media. • Eleven press releases. • Some 20 letters to the editor. • Some 33 speeches by the Commissioner. • Participation by OCOL in 12 information booths across the country.
6. THE COURT INTERVENTION ROLE OF THE COMMISSIONER Change is not always easy, and at times the Commissioner must intervene in court, a role that she is given under the *Official Languages Act*. Over the last 20 years, Dr. Adam's predecessors also intervened in a great many cases involving the exercise of language rights, particularly the right to minority language education. In the past year, language rights have been the subject of four prominent court decisions. The Commissioner participated directly in each of these cases.	• Intervention in three court cases: *Baie d'Urfé (Ville) c. Québec (Procureur général), Quigley v. Canada (House of Commons), Doucet Boudreau v. Attorney General of Nova Scotia*. • Legal analyses, or opinions in major cases such as Air Canada, Citizenship and Immigration (regulations), school governance, the review of the Northwest Territories' *Official Languages Act*, Bill S-32 regarding section 41 of the Act.

The six roles associated with the Commissioner's mandate are carried out proactively in an atmosphere of dialogue and mutual respect. These roles require her to pay close attention to the complaints of Canadians and the requirements of linguistic duality.

First-class passengers

On the official languages train, some passengers stand out because of their political and administrative leadership. LEON is not the only one to be happy about that! The second chapter of the annual report is worth reading. In particular, it highlights some actions that show that many heads of federal institutions have succeeded in creating a collaborative environment that encourages everyone to share a common vision and contribute to give linguistic duality a boost. Here are a few examples of this political and administrative leadership in action. They are truly first-class passengers.

Leadership Award

The first Leadership Award, for which LEON is the proud mascot, goes to the Chief Statistician of Canada, Ivan P. Fellegi. With this award, the Commissioner pays tribute to Statistics Canada, which has distinguished itself by its excellent service to the public, a workplace that is conducive to the use of both official languages, its implementation of Part VII of the Act, and its management of the Official Languages Program overall.

Standing Joint Committee on Official Languages

This committee has been one of the most active ones. The Committee took firm stands on a number of issues, particularly those involving Air Canada and the televised broadcasts of House of Commons proceedings. It tabled a report setting out the official language minority communities' expectations of the government's action plan on official languages. We would like to note the Committee's commitment to resolving the many problems related to Air Canada's failure to respect the Act.

Standing Senate Committee on Legal and Constitutional Affairs

This committee showed true leadership with respect to linguistic duality. Its members were involved in an in-depth study triggered by the tabling of Bill S-32, sponsored by Senator Jean-Robert Gauthier. This is a bill to amend the *Official Languages Act* in order to make the government's commitment to official language minority communities more binding. We know that a number of federal institutions have taken advantage of section 41's ill-defined nature to justify their failure to take action to implement it. The Commissioner appeared before the Committee and proposed amendments to increase the effectiveness of measures to enhance the development and vitality of communities.

House of Commons Standing Committee on Citizenship and Immigration

The *Immigration and Refugee Protection Act* received Royal Assent in November 2001. A few months prior to this, the Commissioner appeared before the Committee. The Commissioner's goal was to persuade Committee members to support certain amendments to the proposed *Immigration and Refugee Protection Act* that would ensure that both official language groups benefited more equitably from immigration. The Commissioner is pleased to see that the new legislation responds to her recommendations. As for the regulations proposed by Citizenship and Immigration Canada (CIC), the Committee also took the Commissioner's observations into account and recommended that CIC double the number of points awarded for knowledge of an immigrant's second official language.

Although we cannot list all the "first-class passengers" here, as is done in the annual report, we must note the leadership shown by the Clerk of the Privy Council and the Committees on Official Languages of Regional Councils of Senior Federal Officials (which INFOACTION has already told you about).

Dr. Adam is delighted that the bureaucratic machinery has started moving... even if it is a little slow for her taste. Still, the government has been quite active in the following ways during the past fiscal year:

- it has identified official languages as one of the strategic priorities of the public service;
- it has named a minister, Stéphane Dion, who is responsible for coordinating federal leadership on official languages;
- it has set up a Ministerial Reference Group to support its thinking on official languages;
- it has allocated new funding to a number of projects that support the development of official language minority communities, such as an institute at Université de Moncton for research on official language minority communities.

A distance education network for the English-speaking community in Quebec, language training for

employees of the new City of Ottawa, and projects for young Francophones in minority communities also received government support.

So there has been progress; however, the Commissioner stresses the urgency of moving faster, because the Official Languages Program is not just any program. It is a vital collective undertaking, "at the very heart of our Canadian values," as she likes to say. It is a value that should be part of daily life in all federal institutions.

Air Canada: on a flight path to bilingualism?

The last annual report examined in depth the systemic problems regarding official languages at Air Canada. This year, the company was once again the institution subject to the greatest number of complaints. Most of these complaints had to do with recurring problems. This year's report notes that in recent months the airline has taken encouraging steps to ensure that it complies with the *Official Languages Act*.

Following several legal proceedings and mediation requested by the Court, an agreement was reached among OCOL, Air Canada and Air Canada's unions in November 2001. By the end of the summer of 2003, Air Canada must propose specific measures based on its discussions with its unions to improve its services at the Toronto (Pearson) and Halifax airports.

The Standing Joint Committee on Official Languages asked Air Canada to draw up an action plan which must include:

- specific objectives with reasonable deadlines;
- verifiable performance indicators;
- specific measures to alleviate difficulties resulting from the acquisition of Canadian Airlines International and regional carriers.

In August 2000, the Minister of Transport asked Debra Ward, an independent observer appointed by the government, to study the repercussions for Canadians of the merger between Air Canada and Canadian Airlines International. The Minister also her to focus on language issues. Her final report was tabled in September and included recommendations to help Air Canada fulfil its language obligations.

Air Canada has shown some willingness to change. It goes without saying that the Commissioner is following the progress of this issue very closely. Dr. Adam has often said that Canadian passengers have a right to expect better service in their own language from the main Canadian carrier.

Parliament in your living room

What does filing a complaint with OCOL really get you? If only it would result in change... In fact, a complaint from a single person can be the catalyst for change. The annual report gives us several examples, and the following is one case that will bring results right into your living room.

Canadian cable companies are not subject to the *Official Languages Act* and are not required to broadcast proceedings of the House of Commons and its committees to their subscribers in both official languages. Consequently, Canadians cannot always listen to their federal representatives in the language of their choice.

A complaint from an English-speaking resident of New Brunswick, Louis Quigley, could help change this situation. He complained that he could not receive full broadcasts of House of Commons proceedings in the language of his choice. After investigating, the Commissioner found that the *Official Languages Act* requires the House of Commons to ensure that Canadians have equal access to its proceedings in the official language of their choice. In her investigation report she asked the House to implement the necessary measures to correct the situation. Further, Dr. Adam appeared before the Standing Joint Committee on Official Languages to present the findings of her investigation. The Committee published a report recommending that the CRTC require cable companies to broadcast House of Commons proceedings in both official languages. In spring 2002, the Commissioner presented a detailed brief

explaining her position to the CRTC.

A very determined Mr. Quigley exercised his right to legal recourse, applying to the Federal Court for an order that the House of Commons broadcast its proceedings in both official languages. The Federal Court heard his case, and the Commissioner intervened to defend her recommendations and the application of the *Official Languages Act* to the House of Commons. On March 31, 2002, the Court had not yet reached a decision.*

Although this case is still before the courts, we can still talk about a partial result because, in fall 2001, the CRTC decided to require cable companies to broadcast House of Commons proceedings in both official languages by distributing two audio signals to subscribers' homes using SAP technology.

This complaint will have the positive effect of giving more Canadians access to House of Commons proceedings in the official language of their choice.

* In June 2002, the Federal Court decided in favour of Mr. Quigley and ordered the House of Commons to take the necessary measures to comply with the *Official Languages Act* in this respect. The House of Commons has indicated that it will appeal this decision.

Focus on communities

As always, the Commissioner's annual report makes a point of discussing linguistic communities. This year's report describes the development of several issues in which the Commissioner has been quite involved. Every time the vitality of official language communities is threatened by ill-advised administrative decisions or policies, the Commissioner sounds the alarm. The following are a few of the examples in the annual report.

Monfort Hospital: A Happy Conclusion

On February 1, 2002, by announcing that the Ontario government would not appeal the Montfort decision to the Supreme Court, the Minister of Health and Long-Term Care also announced the end of the long and famous saga. You may remember that the Commissioner obtained intervenor status with the Court of Appeal to support Montfort Hospital. Justice Canada and many others intervened in support of the Franco-Ontarian community. The repercussions of this collective victory will extend beyond the borders of Ontario. The provinces and territories will now be expected to take into account the needs of official language minority communities during any type of restructuring, particularly in the health care sector.

The Romanow Commission

The Romanow Commission on the Future of Health Care in Canada is to make recommendations to the federal government to ensure that Canada's health care system is viable and reflects Canadian values of the 21st century. It's a huge challenge! Language is at the heart of the Canadian health care system, since communication is central to the delivery of quality health care.

The Romanow Commission's February 2002 interim report makes no mention of the legitimate needs of members of the English-speaking and French-speaking minority communities. The Commissioner and representatives from official language minority communities intervened before the Romanow Commission, pointing out the importance of language in health care and encouraging the Commission to focus part of its work on this issue. The Commissioner believes it is absolutely essential that the Romanow Commission's final report recommend the implementation of measures to improve health services available to Anglophone and Francophone official language minority communities.

Municipal Mergers in Quebec

In February 2001, some 20 municipalities applied to the Quebec Superior Court for an injunction to halt implementation of the newly enacted municipal mergers legislation (Bill 170).

Some also contested accompanying amendments to the *Charter of the French language* (Bill 171). Those amendments limited the availability of bilingual status for new boroughs and municipalities. Municipal entities that do not already have bilingual status can no longer obtain that status unless English is the

mother tongue of a majority of residents; the old threshold required only that a majority of residents speak a language other than French.

The Commissioner obtained intervenor status to challenge the constitutional validity of the criterion for granting bilingual status. The Commissioner took the position that the new criterion was an unconstitutional reduction of the language rights of English speakers.

Both the Quebec Superior Court and the Quebec Court of Appeal rejected the arguments made by the municipalities. The trial judge nevertheless acknowledged the possibility of a future violation of section 16 of the *Canadian Charter of Rights and Freedoms* should a municipality be refused bilingual tatus when it could have obtained that status under the pre-amendment criterion.

Other Important Issues

The annual report also discusses a number of issues in which the Commissioner has been quite involved.

- Review of the Northwest Territories' *Official Languages Act*.
- Broadcasting: a significant increase in French-language broadcasting to minority communities.
- A distance education project for English-speaking communities in Quebec.
- The Institut français at the University of Regina.
- Radio-Canada: the Chaîne culturelle.

Leon recommends...The recommendations

You must know this by now, but it bears repeating: the Commissioner spares no effort in promoting true equality of English and French in Canadian society. Her recommendations to government through her annual report are made with this in mind.

This year's report contains several recommendations. You can take my word for it, these recommendations must be taken seriously, since they show the government how to put linguistic duality squarely back on track if it wants to deliver the goods. INFOACTION presents these recommendations, which clearly demonstrate the Commissioner's desire to be an agent of change.

Recommendation 1 *The Commissioner recommends that the government draw up its action plan on official languages without further delay and allocate the funding required to implement measures set out therein.*	**Recommendation 2** *The Commissioner recommends that the Prime Minister give the Ministerial Reference Group on Official Languages the status of a permanent committee, in order to stimulate leadership at the highest levels and to support implementation of the action plan on official languages.*
Recommendation 3 *The Commissioner recommends that the government clarify the legal scope of the commitment set out in section 41 of the Official Languages Act and take the necessary action to effectively carry out its responsibilities under this provision.*	**Recommendation 4** *The Commissioner recommends that the Clerk of the Privy Council maintain official languages as one of the federal administration's strategic priorities for a further three-year period, and make this a compulsory priority for all Deputy Ministers who have exhibited delays in implementing the Official Languages Program in their institutions.*
Recommendation 5 *The Commissioner recommends that the federal government allocate adequate resources to ensure that the Treasury Board*	**Recommendation 6** *The Commissioner recommends that the government ensure that legislation and policies adopted as a result of the human resources management modernization*

Secretariat can fully exercise its role in supervising and evaluating federal institutions.	*exercise help achieve the objectives of the Official Languages Act.*
Recommendation 7 *The Commissioner recommends that Citizenship and Immigration Canada develop support programs to implement the language provisions of the new Immigration and Refugee Protection Act. By means of concrete, verifiable action, these programs must promote official language minority communities abroad and help them to improve their ability to receive immigrants.*	

A last word from Leon, our well-informed engineer

On April 1, 2002, the official languages train began a new 12-month trip. In her next annual report, the Commissioner will assess the performance of all passengers, particularly those who share the controls. This will be a smooth trip if the Commissioner's recommendations and the advice in the current report are implemented.

As for me, LEON the informed engineer, I will keep my eyes open. There is no reason for you not to do the same. Why not join me along the way in watching what progress the government and public service make? To help you, here are a few guide posts that are set out in the Commissioner's report. They will be the focus of close scrutiny in the 2002-2003 report.

- Do our political leaders live up to their promises to recognize and promote official languages across the country?
- Have the seven priorities that the Commissioner recommended to the government for its action plan been respected and implemented as necessary?
- As for service to the public in both official languages, you are the ones best placed to say whether there are shortfalls in the quality of service in either language and to let us know. If there is a problem, don't hesitate to let us know.
- French on the Internet. In 1999 and again in 2002, the Commissioner recommended that the government establish the political and financial framework needed to increase the use of French on the Internet. Some progress has been made, but a clear political statement, a global vision and an integrated strategy have yet to be set out. Will you follow this issue with LEON?

There are other issues that should also be looked at in the coming year: official languages and the Canadian sport system, official languages and immigration, official bilingualism and the nation's capital, etc.

The Commissioner will not budge on her objectives. The Government of Canada should heed her warning: it must be diligent in advancing linguistic duality and pick up the pace if it wants the train to reach its destination of the fullest linguistic equality possible. That's quite a lot to deliver!

Overview of complaints in 2001-2002

Figure 1
Breakdown of complaints, by region[1]

			Nature of Complaints			
Region	**Complaints lodged**	**Complaints[2] investigated**	**Service to the public**	**Language of work**	**Language requirements**	**Others[3]**
Newfoundland and Labrador	6	4	4	-	-	-

Prince Edward Island	31	21	16	-	5	-
Nova Scotia	133	112	80	4	3	25
New Brunswick	86	70	43	12	14	1
Quebec[4]	160	121	78	26	1	16
NCR (Quebec)	61	48	33	6	4	5
NCR (Ontario)	301	228	159	50	10	9
Ontario [4]	269	206	185	9	2	10
Manitoba	34	21	21	-	-	-
Saskatchewan	17	15	14	-	-	1
Alberta	57	46	40	1	-	5
British Columbia	37	32	30	2	-	-
Territories [5]	9	5	5	-	-	-
Foreign	21	6	5	-	-	1
TOTALS	**1,222**	**935**	**713**	**110**	**39**	**73**

[1] Information from Investigations Branch database.
[2] Approximately 80% of complaints are investigated. Complaints which are not investigated are referred to an appropriate institution or refused because they do not fall under the jurisdiction of the Act or its Regulations.
[3] The category "Others" includes mainly complaints regarding notices, equitable participation and Part VII.
[4] Excluding the National Capital Region (NCR).
[5] Territories include Nunavut, Yukon and Northwest Territories.

Figure 2
Distribution of the 1,222[1] complaints lodged by province and territory

Newfoundland	6
Prince Edward Island	31
Nova Scotia	133
New Brunswick	86
Quebec[2]	160
National Capital Region	362[3]
Ontario[2]	269
Manitoba	34
Saskatchewan	17
Alberta	57
British Columbia	37
Yukon	7
Northwest Territories	0
Nunavut	2

[1] Including 21 complaints dealing with services offered outside Canada
[2] Excluding the National Capital Region.
[3] 301 from the Ontario side and 61 from the Quebec side.

Figure 3
Institutions with more than 15 admissible complaints and their status

Department/Institution	Founded	Unfounded	Under investigation	Others	TOTAL
Air Canada	21	7	114	1	**143**
Human Resources Development Canada	50	3	41	-	**94**
Canada Post Corporation	50	5	34	-	**89**
Canada Customs and Revenue Agency	26	6	24	-	**56**
Statistics Canada	24	3	4	2	**33**
Public Works and Government Services Canada	16	4	12	-	**32**
National Defence	7	1	22	-	**30**
Royal Canadian Mounted Police	7	3	19	-	**29**
Ottawa International Airport Authority	9	5	13	-	**27**
Halifax International Airport Authority	9	0	17	-	**26**

Citizenship and Immigration Canada	16	0	6	-	**22**
Correctional Service Canada	4	3	13	-	**20**
Environment Canada	5	0	11	2	**18**
Health Canada	8	5	4	-	**17**
Industry Canada	5	5	5	-	**15**
Canadian Heritage	3	3	9	-	**15**

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A Word From the Commissioner

The day after the 2001 Census data on ethnic origin was published, an article* by Kelly Egan, journalist with the *Ottawa Citizen*, really caught my attention and piqued my interest. According to Mr. Egan, the most recent data shed light on a page of Canadian history currently being written. Canada's ethnocultural makeup has changed. As a result, how will tomorrow's population define its Canadian identity? At first glance, I would reply that one component of Canadian identity remains constant: it is based on linguistic duality that is open to diversity, regardless of the demographic changes that shape it.

Canada is undeniably undergoing profound change and, because of the growing number of immigrants whose mother tongue is neither English nor French, is becoming a multilingual society. The proportion of persons born outside Canada has reached its highest level in 70 years: 10 percent of the total population. The number of members of visible minorities has tripled since 1981, reaching 4 million in 2001. There are now over 100 languages spoken in Canada.

As Commissioner of Official Languages, I must share my thoughts with you about these census data. I firmly believe that Canada has been able to build a uniquely pluralistic society in large part because linguistic duality is one of the pillars of the Canadian federation. Were it not for bilingualism, our society of tolerance and diversity would never have developed the way it has. I believe our experience with bilingualism has given us a head start to more easily deal with a

complex world. The new census data show us that the idea of two linguistic solitudes and a vast number of closed ethnic communities is increasingly removed from reality. The best evidence of this is the way people juggle languages and identities. The intersection between official languages and diversity is an increasingly animated crossroads, something that should please all of us. However, we must not forget that English and French form the very foundation of Canadian society.

Therefore, if the federal government wants to productively manage diversity in Canada, it must ensure that our ability to maintain our country's linguistic duality is preserved.

My Office has a number of other, equally important issues on its agenda, such as language of work in the public service, follow-up on the recommendations of the Romanow Commission, implementation of the federal government's action plan on official languages developed by Minister Stéphane Dion, access to justice (a major issue), and networks of single-window offices established by the Government of Canada. This issue of INFOACTION provides an overview of these issues.

** Kelly Egan, "I am a Canadian. But what does that mean?",* The Ottawa Citizen, *January 25, 2003, p. B1.*

The Right Ingredients to Renew Canada's Linguistic Duality

At the same time this issue of INFOACTION was being completed, the Commissioner was reviewing the official languages action plan. This plan was submitted on March 12 by the federal government after nearly two years of hard work. Entitled, "The Next Act: New Momentum for Canada's Linguistic Duality," the plan consists of three components: education, official language community development and bilingualism in the federal public service. The plan also includes an accountability and coordination framework that seeks to raise awareness among all federal institutions, strengthen consultation mechanisms with communities and establish a coordination of all government processes relating to official languages. The entire plan represents an investment of $751 million over the next five years.

The Commissioner welcomes this plan, but says there is still work to be done. "Although we now have all the necessary ingredients to renew the official languages program, we can only truly measure this plan's effectiveness and impact once we see concrete results," said Dr. Adam, who has been asking for an overall plan to renew the official languages program since tabling her first annual report in October 2000. "The next step--the one that is both the most important and the most demanding--is to implement this plan. Canadians want to see concrete, measurable and lasting results. In order to accomplish this, the government must intensify its efforts, and I will be there to act as a catalyst and ensure that the federal leadership stays on course," concluded the Commissioner.

Language of work: Time for a Fresh Start *From Theory to Practice*

Change is urgently needed; it is time for a fresh start. That is the essence of the clear message regarding language of work in the federal public service delivered by the Honourable Lucienne Robillard, President of the Treasury Board, to public service managers at the Symposium on Language of Work hosted by the New Brunswick Federal Council in Dieppe on November 6, 2002.

Minister Robillard reminded her audience in no uncertain terms that Treasury Board has set March 2003 as the cut-off date by which managers must meet the language profiles of their positions. What will happen if managers do not meet their language profiles by this date? The Treasury Board President's reply was unequivocal: "There will be consequences. I believe this is an incentive for managers to make official languages a career priority and for government to make sure that the services are available to them to do so."

Minister Robillard believes that the time for change has come and that, in the 21st century, a modern public service must move beyond compliance with rules. Canada's public service has no choice: it must fully integrate the values of the citizens it serves, including linguistic duality. In her view, if the public service is to be representative of the population it serves, it must change its approach to official languages. She wonders how "a public service dedicated to excellence" can "sometimes be so forgetful of

the excellence it represents."

Minister Robillard believes it is time to address a situation that has persisted for a long time. Almost 35 years after the introduction of the *Official Languages Act,* we still face many barriers in creating a public service that reflects Canada's bilingual nature, she noted. The Minister justified the change she is advocating for the public service as follows: "We should also remember that bilingualism is rooted in Canadians' deeply held beliefs in inclusiveness, tolerance and respect for others ... It is part of our democratic belief that government is responsible to the people and that its purpose is to help raise people up, not hold them down."

To bring about this change based on Canadian values, strong and continued leadership is needed, the Minister emphasized. She also questioned the relevance of continuing to use non-imperative bilingual staffing. At the same time, she wants to be fair and ensure that no one is excluded from applying for a public service job. In her speech, the Minister also questioned the effectiveness of the bilingualism bonus.

In closing, the Minister reiterated the urgency of the federal government's obligation to adopt a new approach that is workable and in the best interest of Canadians and of the public service.

The Commissioner of Official Languages, who attended the symposium, wholeheartedly welcomed Minister Robillard's comments, which reflected the main thrust of the recommendations she had made to her a few months earlier in relation to human resources modernization. Addressing the symposium participants, Dr. Adam referred to the Minister's speech, noting that the new approach to official languages put forward by Treasury Board and the government, based on respect, is a real step forward.

A Call That Made a Difference

When it comes to service in both official languages, everything is possible when there is co-operation and understanding. Consider the following example.

Last June, a group of Francophone students from Quebec were visiting a school in Notre-Dame-de-Lourdes, Manitoba, as part of an exchange program. The teacher in Manitoba in charge of the exchange had planned a tour of the Shilo military base. While making the arrangements for the tour with the base administration, she learned that the tour might not be available in French. Unfortunately, there was no guarantee that bilingual staff would be available at the time of the tour.

The teacher then had the good idea of contacting the regional OCOL office in Winnipeg. An officer from this office contacted the administration of the military base, and, although the base is not designated bilingual for the purposes of service to the public, it was agreed that the tour would be given in French. And so it was, to the great satisfaction of the Francophone students.

With goodwill on both sides, solutions can often be found.

Leon Leadership Prize

Each year, the Leon Leadership Award will honour the head of an institution subject to the *Official Languages Act* who has shown outstanding leadership in promoting linguistic duality and implementing the Act in his or her institution. To find out more about the Leon Leadership Award, visit the "Achievements" section of our Web site, at www.ocol-clo.gc.ca.

The Commissioner of Official Languages, Dyane Adam, presented the Leon Leadership Award for 2001-2002 to Ivan P. Fellegi, Chief Statistician of Canada, on December 10.

Canadian Association for Translation Studies Award

The Office of the Commissioner of Official Languages sponsors the Vinay-Darbelnet Award in Translation Studies offered by the Canadian Association for Translation Studies. The award is presented every two years for the best doctoral thesis in translation studies. On International Translation Day, September 30,

2002, the Canadian Association for Translation Studies presented the 2002 award to Dr. Malcolm Williams, of the University of Ottawa, for his thesis entitled *An Argumentation Centred Approach to Translation Quality Assessment*. Pictured are, from left to right: Benoît Léger, of Concordia University; Diane Rioux, representing the Office of the Commissioner of Official Languages; and the recipient of the Vinay-Darbelnet Award in Translation Studies, Dr. Malcolm Williams.

Part of Everyday Life

Some people think that broad government policies do not affect them personally or touch their day-to-day lives. This is not true, however, when it comes to the building of our social infrastructure, which places Canada at the forefront of modern societies.

As we know, the Federal-Provincial-Territorial Ministerial Council on Social Policy Renewal is currently conducting the three-year review of the Framework Agreement on Canada's Social Union. How important is this framework agreement? Extremely important, given the breadth of issues that government social programs seek to address.

In a brief setting out her views on this matter, which she presented to the Honourable Jane E. Stewart and the Honourable Peter G. Christie, the council co-chairs, the Commissioner expressed her disappointment that the framework agreement makes no mention of linguistic duality. In the Commissioner's view, this omission could, at the least, have negative impacts on Canadian unity by hampering progress toward true equality of English and French and weakening the vitality of official language minority communities. This omission has also carried over to other agreements, such as the Early Childhood Development Agreement concluded in September 2000. Dr. Adam has explicitly stated that "Canada's social union is lived out every day in English and French. It involves all areas of social activity, including health, social services, immigration, culture, the status of women, labour market development, human resources development, poverty in general and child poverty in particular, senior citizens, child care services, housing, the environment, rural development, Northern development and literacy."

Dr. Adam invited leaders to adopt a new approach. She reminded them that it is essential that the Framework Agreement on Canada's Social Union be modified to accurately reflect Canada's linguistic duality and the unwritten constitutional principle of respect for and protection of minorities. She believes that appropriate implementation measures should also be identified in the agreement, since official languages are at the very heart of Canada's fundamental values.

A Cutting-Edge Federation

Being on the cutting edge of women's issues would be one way to describe the main objective of the Fédération nationale des femmes canadiennes-françaises (FNFCF). Recently, the Commissioner had an opportunity to meet with the chair of this vigilant, committed and effective organization, Rose-Aimée Haché, and its executive director, Brigitte Duguay. The discussion focused on the organization's major short-term and long-term projects.

Dr. Adam took this opportunity to discuss the specific needs of Francophone immigrants. In its brief to the Citizenship and Immigration Canada Steering Committee, the FNFCF submitted a series of recommendations that are consistent with those proposed by the Commissioner in her study, *Official Languages and Immigration: Obstacles and Opportunities for Immigrants and Communities*. Dr. Adam congratulated the FNFCF executive, not only for making significant contributions to the community but also for making the problems of immigrant women a priority. The FNFCF is currently working on Place aux femmes, a project designed to forge closer ties between French-Canadian women and Francophone immigrant women. The organization has also developed a program of job placements, workshops and working sessions for immigrant women to help them gain experience in order to find work.

The FNFCF spoke to the Commissioner about a number of other key issues, such as violence against women and homelessness. Dr. Adam is very interested in a Web site to be created by the FNFCF providing information on all French-language services relating to all forms of violence against women. In

partnership with Industry Canada, Communication Canada and Human Resources Development Canada, the organization will be developing various co-operative projects to educate, inform and deliver services to women through new technologies. The FNFCF is also working on a major national study, with funding from Status of Women Canada, to develop the socio-economic profile of minority Francophone women. The meeting also touched on issues such as assimilation, exogamy, and the fair distribution of government funding to official language minority communities, including women's organizations.

Following a productive exchange of ideas and suggestions, Dr. Adam congratulated the FNFCF for translating its principles into concrete action to improve the lives of Francophone women in Canada. She was delighted to see the emergence of a national coalition supported by the FNFCF. Dr. Adam regards the FNFCF as a special resource that makes an invaluable contribution to the development of Canadian society. In the great words of Simonne Monet-Chartrand, "*Chaque femme est une personne-ressource* (Each woman is a resource)."*
When applied to an organization such as the FNFCF, these words ring especially true.

** Ma vie comme rivière, Volume 4, p. 326.*

A New Resource Centre

A new resource centre, Heritage Lower St. Lawrence, opened recently in Métis-sur-Mer, Quebec. Eva Ludvig, the Commissioner of Official Languages' representative in Quebec, attended the ceremonies. The new offices are located in the Métis Beach School building.

Heritage Lower St. Lawrence is one of the newest English-speaking associations in Quebec to be funded by Canadian Heritage and is one of 20 groups that make up the Quebec Community Groups Network. Heritage Lower St. Lawrence serves the small and widely dispersed English-speaking population in the Lower St. Lawrence Region. Most of its members are from Métis-sur-Mer and surrounding areas, but some live as far away as Mont-Joli, Rimouski, Rivière-du-Loup, Trois-Pistoles, Cacouna and Bic. According to Statistics Canada's 1996 Census data, the English-speaking population of the Lower St. Lawrence Region represents 0.5 percent of the area's population (890).

Heritage Lower St. Lawrence hopes to act as a resource centre for the English-speaking community and advocate for issues of importance to the community. Some of these issues include the preservation of the Métis Beach School, the only English-speaking school in the region. It will also work to ensure that service in English is made available to the community once known as Métis Beach, which had bilingual status under Quebec's *French Language Charter* but was recently merged with neighbouring Les Boules to create the new municipality of Métis-sur-Mer.

The association is also working on increasing English-language CBC radio service to the region and is developing a Web site and publications documenting the history of the English-speaking communities of the region. As well, Heritage Lower St. Lawrence is proudly developing a living history project in collaboration with Télévision communautaire de La Mitis.

Diversity in Canada: In Which Languages?

How much do you know about Canada? Probably quite a lot. However, if you were asked the following very topical questions, what would you say?

1. Every year, Canada welcomes...
   - between 50,000 and 100,000 immigrants.
   - between 200,000 and 250,000 immigrants.
   - between 500,000 and 550,000 immigrants.
2. Through its immigration policy, Canada has always sought to maintain a balance between its English-speaking and French-speaking populations.
   - True
   - False

3. Proportionally, Canada's French-speaking population has...
   - twice as many immigrants as its English-speaking population.
   - the same number of immigrants as its English-speaking population.
   - fewer than one quarter of the immigrants that are part of its English-speaking population.

The answers to these questions appear at the end of this article. These are also the themes addressed in a new study* by the Office of the Commissioner of Official Languages that traces the experiences of immigrants as they settle and integrate into official language minority communities. Published in November 2002, this study outlines a series of approaches that governments must take to make official language minority communities full partners in the immigration process. At the time the study was published, the Commissioner stated that "linguistic duality is at the heart of our Canadian identity, as is our ethnocultural diversity. I believe that having two official languages has created the type of sensitivity and respect in Canada that has allowed us to welcome people of many different origins. Canadian diversity must be visible and fully expressed in both of our official languages if we are to ensure that the foundations of our country remain strong."

The Commissioner is concerned about that fact that, while one in five Anglophones in Canada is an immigrant, just one in 20 Francophones is an immigrant. Since immigration is now the single most important factor contributing to Canada's population growth, Dr. Adam considers it more important than ever that the government take measures to ensure that all Canadians benefit equitably from immigration.

This study makes practical recommendations regarding the selection, settlement, and integration of immigrants. In addition, it looks at the issues of identity and belonging within official language minority communities. Immigrants must feel that they are part of a community's collective identity in order to become fully contributing members. Dr. Adam calls for increased dialogue between newcomers and established members of Francophone communities. This will allow both sides to preserve the basic aspects of their origins while creating new communities composed of many different identities where the French language serves as a common link and a defining feature.

The study focuses on not only French-speaking communities outside Quebec but also English-speaking minority communities in Quebec. Although the English-speaking minority community in Montreal includes many immigrants, English-speaking minority communities in rural areas of Quebec have not always succeeded in attracting and retaining immigrants.

Dr. Adam expressed great interest in the study on Francophone immigration conducted by the Fédération des communautés francophones et acadienne du Canada (FCFA) for the Citizenship and Immigration Canada Francophone Minority Communities Steering Committee. Like the OCOL study, the FCFA document revealed that, although many immigrants may wish to live in French outside Quebec, the resources needed to facilitate their integration are not always available in French.

Dr. Adam is very much hoping that the government will be prompted by these two studies to ensure that immigration enhances the vitality and supports the development of official language minority communities to a greater extent. In other words, the government must take action. The Commissioner notes: "Strong leadership from the federal government on this issue will ensure that both linguistic groups can fully reflect the diversity of voices that make up our country."

* *Official Languages and Immigration: Obstacles and Opportunities for Immigrants and Communities*

ANSWERS TO QUESTIONS:

Each year, Canada welcomes between 200,000 and 250,000 immigrants. However, Canada's immigration policy has not always fostered a balance between its English-speaking and French-speaking populations. It was not until the Immigration and Refugee Protection Act, *which came into force in June 2002, that the*

Encounter

Each summer, young people from across Canada are given the opportunity to improve their second language skills by working in a province other than their own. This is made possible through the Summer Work/Student Exchange program, sponsored by Canadian Heritage. Last summer, the City of Gatineau, Quebec, hosted young people, mostly from Alberta and Ontario, who worked in children's day camps. Everything took place in French only.

federal government set out its commitment to supporting official language minority communities by ensuring that they benefit from immigration. The fact remains however that, proportionally, the French-speaking immigrant population in this country currently accounts for less than one quarter of the English-speaking immigrant population.

Since the Commissioner enjoys hearing from the public, especially from young people, INFOACTION asked Stéphanie Côté, an information officer, to meet with Max Duerksen from Stoney Creek, Ontario, and Ashley Geis and Christa Paterson from Edmonton. A few days before this work experience drew to a close, they kindly agreed to share their impressions with us.

First of all, they had to adapt to a situation that was quite different from a classroom, practically the only place where they had heard or spoken French. This time, it was the children at the day camp who talked with them. What an adjustment! But at the same time, what an enriching opportunity. This experience helped the summer students discover a vibrant language, spoken in a cultural context that was new to them, a city in Quebec where both official languages are heard practically everywhere.

Since the children became the teachers, the job was often fun and always very lively. The monitors had never before had the opportunity to converse with Francophone children whose vocabulary and accent were different from the French spoken by their teachers in class. The children's spontaneity did not give them a chance to look things up in a dictionary or search for just the right expression. And very often, the children taught them new expressions.

For the first time, the summer students learned just how important it is to understand and speak Canada's two official languages. They understood that the purpose of learning their second language is first and foremost to be able to communicate. They all agreed that this experience taught them that, if Canadians want to form a truly united country, they must first talk to each other. They will then be able to learn more about each other and respect each other's differences. In short, they discovered that the two linguistic groups are not so different from each other. They feel privileged to have experienced these six weeks, which gave them an opportunity to apply what they had learned, improve their spoken French and broaden their horizons by experiencing a Canadian reality that was once unknown to them.

They felt that living in a Francophone community and, more specifically, communicating with children helped greatly in improving their knowledge of their second language. Unfortunately, they said, too few young people learning French as a second language have this opportunity. Their experience in Gatineau has convinced these summer students that French is not a language limited to books and a classroom. It is a language spoken by millions of people in Canada.

As our discussion progressed, we touched on the issue of official languages in general. The students wondered about opportunities to speak and work in French in Canada. They hear hardly any French outside of class and admit it is not easy to find the motivation to study the language. They would like to see governments invest more in teaching English and French as second languages. They would also like to see Canadian universities offer more French-language programs. They said that, too often, young people who have studied French for 12 years do not have the opportunity to continue their education at the post-secondary level in French without having to "go into exile." Unfortunately, this means they forget what they have learned. The students spoke about intolerance between the two linguistic groups, which they said is often rooted in a lack of familiarity.

These young people give us hope for the future. They are our leaders of tomorrow, and we will not have to convince them of the role and importance of official languages. That is the bright spot on the horizon that came out of our meeting with these three visiting young people.

Come read with me!

A terrific new contest is now open to students at English-language elementary schools in Quebec. The first edition of the COME READ WITH ME! contest was launched on January 27, 2003, by Literacy Partners of Quebec and the Quebec Federation of Home and School Associations, in conjunction with OCOL, at celebrations marking Family Literacy Day.

This contest aims to promote literacy through reading among young Anglophones living in English-speaking minority communities. It is open to all pupils from kindergarten to grade 6 enrolled in a school belonging to one of the nine English-language school boards in Quebec or to the Littoral School Board.

How to enter the contest? Very simple. Information can be obtained from the students' school office or by visiting www.nald.ca/lpq/read.htm, where the contest rules and a registration form are posted. The contest deadline is May 7, 2003. Good luck to all students who take part in COME READ WITH ME!

Figures that send a message

On December 10, 2002, Statistics Canada released the fourth wave of 2001 Census data on Canada's changing linguistic makeup and migration and mobility patterns. These data also provide answers to a new Statistics Canada question about languages regularly used at home. INFOACTION will of course not present the myriad figures from the latest census or provide in-depth analysis of the data. Above all, it wishes to share with readers some thoughts and observations from the Commissioner of Official Languages.

What picture does Statistics Canada paint of languages in Canada in 2001? The census results clearly show that Canada is increasingly a bilingual and even multilingual society.

The growing number of immigrants whose first language is neither English nor French is changing Canada's linguistic makeup.

As the Commissioner noted when these data were published, bilingualism is clearly on the rise, especially in Quebec, where 40 percent of the population considers itself bilingual. Among Anglophones in Quebec, the rate of bilingualism is 66 percent. In Dr. Adam's opinion, Canada increasingly supports bilingualism and multilingualism. If this trend continues, the Commissioner hopes this will also mean that Canadians will be much better equipped to deal with growing globalization.

Dr. Adam is nevertheless concerned to see that, for the first time since 1990, bilingualism has dropped slightly among young people outside Quebec. She wonders whether this drop is due to the cuts in government funding for second language instruction.

The Commissioner also notes a slight increase in the real number of Francophones outside Quebec, as well as migration of Francophones from Quebec to other provinces in Canada. While their number has risen slightly, Francophones account for a reduced proportion of Canada's population. This is due to the higher levels of immigration to Anglophone communities. Dr. Adam stresses the daily challenge to minority French-language communities posed by the healthy coexistence of the two official languages and sometimes even a third language at home or outside the home. In spite of this, French is alive and flourishing in these communities.

The data also show that the English-speaking population in Quebec has dropped, a trend that has continued since the last census. Dr. Adam is concerned about this significant decrease. She hopes Quebec will not lose the critical mass that is essential to the survival of minority institutions such as schools, cultural organizations, social and community services, colleges and universities.

We must nevertheless move past an approach that divides the population into Anglophones and Francophones. Some Canadians participate not only in one of the linguistic communities but in fact in both communities at the same time. The challenge is not to count these people as either Anglophone or Francophone, but instead to recognize that a person may participate in, contribute to and enjoy life in both linguistic spaces. Learning a second language or participating in another language group is not harmful to the initial language group. If the second language learned complements the first language rather than replacing it, the presence of the two languages is enriching and not detrimental to the two language groups in question. The new data on language of work show that the use of both official languages can be complementary.

Dr. Adam sees the census data as a very clear sign that action is urgently needed. She would like to see the new funding announced in the Action Plan tabled by the Minister Stéphane Dion, make the necessary shift in direction to revitalize the official languages program.

The Government and the Use of the Minority Press

The government places ads in newspapers to effectively communicate with the Canadian public. For several years, the Office of the Commissioner of Official Languages has received numerous complaints about the fact that, when federal institutions place advertisements in newspapers, they often do not publish them in the minority official language press. These ads are in fact not always printed in the English-language newspapers in Quebec and the French-language newspapers outside Quebec, as required by the *Official Languages Act* (sections 11 and 30). Between 1998 and 2001, the Office of the Commissioner of Official Languages received 850 complaints regarding failure to publish advertisements in the print media. This represents 20 percent of all complaints received.

After receiving numerous complaints, the Commissioner decided to examine this situation and released a study in November 2002.* Dr. Adam recognizes that government advertising process is complex and involves several players. The study examines exactly how this process is managed in some 20 federal institutions.

The study contains a series of specific recommendations providing the government with a more effective framework for this process, to ensure that it acts in accordance with the Official Languages Act. It is incumbent on each federal institution to develop clear and consistent internal guidelines on its official language obligations with regard to advertising. These guidelines must specifically address the requirements of the Act. "Federal institutions need to equip responsible managers with the information and tools required for complying with their official language obligations in all aspects of their advertising. Having done so, they must then ensure that the policies and guidelines are respected," concludes Dr. Adam.

When she released the study, Dr. Adam stated that, with a readership of almost one million people across the country, minority official language newspapers are important communication tools. Official language minority communities rely to a great extent on their newspapers to be informed of current events relating to their community and government activity. The Commissioner does not mince words in urging the government to act: "I expect the government to comply without delay with its language obligations relating to advertising and to improve its processes in order to reach these communities and support the official language minority press by using it as a means of communication." Dr. Adam will closely monitor the government's follow-up on this study's recommendations.

* *The Use of the Official Language Minority Press by Federal Institutions*

Recent Publications

* *2001-2002 Language Rights Report*
* *The Single Window Networks of the Government of Canada*
* *Official Languages and Immigration: Obstacles and Opportunities for Immigrants and Communities*
* *The Use of the Official Languages Minority Press by Federal Institutions*

You can find a complete version of these recent publications at: www.ocol-clo.gc.ca, under *Publications*.

You can also order them:

* by phone: (613) 996-6368 or 1 877 996-6368;
* online at (www.ocol-clo.gc.ca): under *Contact Us*, click on *Orders*

A First

The Commissioner often appears before various parliamentary committees. One of these appearances, last December, was symbolic as it was the first time the Commissioner had appeared before the newly created Senate Standing Committee on Official Languages.

The main purpose of Dr. Adam's presentation was to remind the committee of the major findings of her latest annual report and to present the Office of the Commissioner's major courses of action. The Commissioner emphasized the government's formal commitment to linguistic duality, which was renewed in the most recent Throne Speech. This commitment gives many Canadians hope and create legitimate expectations. The action plan tabled by Minister Dion's will be the cornerstone for the renewal of the government's official languages program. When she appeared before the committee, the Commissioner stated that the plan must include adequate financial resources that will demonstrate the government's will to put its commitment to official languages into action. "The government must not limit itself to a succession of incoherent mini-reforms without a clear end goal. Once more, I call upon the government to develop an overall vision supported by objectives, deadlines and mechanisms to assess results. These are essential for ensuring

that the action plan is implemented successfully," said Dr. Adam.

She told committee members how pleased she was with the results of a recent survey showing that federal government employees strongly support the general principles behind the government's language policies. She pointed out that it is time for a change in culture and that management must lead by example. The culture change will be achieved through the modernization of the public service, which should:

- make senior federal officials more accountable by redefining the governance framework for official languages;
- promote bilingualism as a basic skill;
- staff bilingual positions with people who have a knowledge of both official languages (imperative staffing);
- rethink language training;
- emphasize receptive bilingualism.

Dr. Adam gave committee members numerous examples of how she fulfills her monitoring role in a systematic and consistent manner. She takes a proactive approach by getting involved at the drafting stage of acts, regulations, policies and programs with regards to official languages. For example, she has been involved in various issues in areas such as health, physical activity and sport, broadcasting (including subtitling and the broadcast of parliamentary debates), and the new legislation on citizenship and immigration.

In closing, Dr. Adam encouraged members of the Senate Standing Committee to carefully review the government's action plan, the *Environmental Scan* by the Department of Justice, which looks at the availability of legal services in both official languages, the modernization of the public service, and the status of official languages in Crown corporations and other institutions subject to the *Official Languages Act*. She hopes that we can create the synergy needed to bring us closer to the overall goal of leading the Canadian public to rightfully recognize linguistic duality as a fundamental Canadian value. Dr. Adam assured committee members of her full co-operation and thanked them for their support.

Canada: A Model to Be Emulated

Canada is not the only country working to ensure the equality of at least two official languages. The government of the Republic of Ireland is currently studying a bill to promote and protect the Irish language. This national and historic language is closely linked to Irish identity, although it is spoken by only 5 percent of the country's population.

In January 2003, Comhdháil Náisiúnta na Gaeilge, an umbrella group of Irish-language volunteer and community organizations, invited the Commissioner of Official Languages to Dublin. Since the Irish government is planning to adopt legal measures with regard to official languages, the organization asked Dr. Adam to share Canada's experience in this area. This bill drafted by the Irish government is largely based on Canada's *Official Languages Act*. The Irish government even proposes that the position of commissioner of official languages be created. This would be the first such position to exist outside Canada. In Ireland, the Commissioner described her role, her mandate, language rights in Canada, and the obligations of public institutions in this regard.

During her visit, the Commissioner met with the minister responsible for promoting the Irish language. Dr. Adam also gave several interviews to the Irish media.

In a speech she gave in Dublin, the Commissioner explained that recognition of the equality of status of Canada's official languages, English and French, is now part of the values shared by Canadians and that linguistic duality is the glue that holds our society together. She stressed that Canadians have come to recognize that upholding English and French as our country's official languages is closely linked to effectively managing the increasing diversity within our borders.

Dr. Adam was proud to be given the opportunity, in light of Canada's over thirty years of experience, to put forward practical suggestions to assist Ireland in implementing legislative measures relating to official languages. Her Irish hosts remarked that they had been greatly inspired by Canada's experience in respecting language rights.

Office of the Commissioner of Official Languages Award - Best Feature Story

On November 12, 2002, Bianka Bernier, Marjorie Brisson, Stéphanie Godbout, Ève Marier-Marceau, and Catherine Vermette received a $1000 bursary from the Office of the Commissioner of Official Languages for the Best Report in a 2002 Rendez-vous de la Francophonie Award contest. These students from École secondaire Saint-Charles, Quebec, travelled to Regina as part of a student exchange program along with 14 other students from their school.

After this exchange, they wrote a report on the differences between young Quebecers and young Franco-Saskatchewanians. Their feature story was very personal and reflected the writers' enthusiasm for the subject. As well, it provided an accurate picture of the lives of young people living in French-speaking minority communities in Saskatchewan.

American cousins

Nine American cousins of ours, from different parts of the USA including one international student from France aged between 25 and 55, paid the Quebec Regional Office of the Commissioner of Official Languages in Montreal a most pleasant visit last summer. On the left: Mr. Carlos del Burgo, Professor, Department of Languages and Translation, McGill University with 8 students from Monterey Institute of International Studies.

Single Windows: A Promising Avenue

On January 28, 2003, the Commissioner of Official Languages, Dr. Dyane Adam, published a study* examining the single-window networks created by the federal government to provide access to information on its various services and programs.

Dr. Adam regards this as a promising initiative: "The single-window networks are a new way of meeting the needs of the Canadian public, offering in one location the services of the federal government, and sometimes those of several orders of government or of the private sector as well. This 'one-stop-shopping' model may serve as an effective tool in improving the quality of service delivery in both official languages, in view of the weaknesses my Office noted in several parts of the country during its most recent audits."

So far the federal government has created two major single-window networks. The first is the Canada Business Service Centres Network (CBSC), which is the result of co-operation among 37 federal departments, provincial and territorial governments, and, in some cases, the private sector and universities. It comprises 13 major centres, that is, one in each province and territory, and a wider network of 382 regional partners providing access in small communities across the country. The other major network consists of 229 Service Canada access points for in-person service. This network is supported by the 1 800 O-CANADA line and the Canada Web site.

Dr. Adam believes that the single-window networks have undeniable advantages for Canadians. These advantages are even more apparent for official language minority communities, since 'one-stop shopping' allows them easier access to a wide range of services in their own language without consulting other sources, some of which may not be equipped to provide assistance in their language.

The Commissioner singles out the Canada Business Service Centres in New Brunswick and in Quebec (Info entrepreneurs) as providing an exemplary level of bilingual service. In Manitoba, two in-person access centres opened their doors in 2002, in St. Boniface and St. Pierre-Jolys. As well as offering services from all three levels of government in both official languages in one location, these centres are public spaces where Francophones can use their language in the workplace.

In this study, the Commissioner makes several recommendations to the federal government to ensure that single-window networks meet the requirements of the *Official Languages Act*. She urges government authorities to take the necessary steps to make this initiative successful: "I strongly encourage the government to commit the necessary resources for the long term to maintain and improve this initiative, which offers many advantages. By adapting the single-window networks to local and regional needs, the federal government is furthering its commitment to enhance the vitality of Canada's minority official language communities."

** The Single Window Networks of the Government of Canada*

In Closing... Words from the Commissioner

In her address to parliamentarians, the Commissioner expressed her disappointment at the fact that deputy ministers are currently exempted from language requirements that apply to managers in the public service.

> "Paradoxically, the government requires that its managers be bilingual, but does not extend this requirement to the heads of federal institutions. At the time they commence employment, new senior public servants should be informed of the requirements of the *Official Languages Act* and of the values on which this Act is predicated. It is crucial that they be given information in this regard and that they be equipped to manage the Official Languages Program. They must be made aware that they are ultimately responsible for ensuring that these values are reflected in the organizational culture of their respective institutions. In short, they must exemplify the government's commitment to the equality of status and use of Canada's two official languages and to employees' right to work in their preferred official language."
>
> *Address to the House of Commons Standing Committee on Official Languages, on December 9, 2002.*

> "Much of Canada's diversity is the result of immigration. It is therefore important to note that a new law governing immigration came into effect in June 2002. This law signals the most important change in Canada's immigration policy in 25 years. I am pleased to note that the new law incorporates many of the recommendations that I made to Parliament and to the Minister of Immigration. For the first time ever, the Government of Canada has explicitly set out its commitment to supporting the vitality and development of Canada's English and French linguistic minority communities through immigration. The Minister of Immigration, Denis Coderre, realizes how important it is that all Canadians benefit from immigration. One of his much-publicized concerns is to encourage more immigrants to settle outside Canada's three largest cities. However, he also seeks to achieve a fairer distribution of immigrants between Canada's two official language communities. This is especially important, given that French-speaking Canadians, both in Quebec and in the other provinces, receive only one quarter of the immigrants they should be receiving, in view of their demographic weight."
>
> "My office will itself be starting to co-host some of the 3,000 citizenship ceremonies held in Canada every year. Through our involvement, we hope to make these ceremonies even more special and to celebrate Canada's linguistic duality with the immigrants from every part of the world who join the Canadian family in these ceremonies."
>
> "In order to build on our Canadian framework of duality and diversity, we need two basic ingredients: we need the commitment of our various levels of government, but we also need to develop a mindset that recognizes and understands the interdependence between official languages and pluralism. The future belongs to the communities that welcome all those who wish to join them."
>
> *Speech given at the conference The Governance of Diversity in Canada: Prospects and Prospectus, held in Montreal on January 23, 2003*

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En voiture avec Léon

Vous ne me connaissez pas? Je suis un honorable cheminot aux commandes du train des langues officielles. Saviez-vous que madame Dyane Adam a institué récemment le **Prix Léon du Leadership** du Commissariat aux langues officielles? Chaque année, ce prix rendra hommage à un dirigeant ou à une dirigeante d'une institution fédérale qui s'est démarqué par son leadership pour promouvoir la dualité linguistique et mettre en œuvre le programme des langues officielles au sein de son institution. Vous comprendrez que c'est tout un honneur pour moi d'avoir été choisi comme symbole de ce prix. Vous n'avez pas fini d'entendre parler de moi!

J'oubliais de vous dire que je suis originaire de l'est du pays. Les conseils fédéraux des provinces de l'Atlantique m'ont créé et mis au monde. Lors du Symposium sur les langues officielles tenu à Charlottetown en octobre 2001, les conseils m'ont offert en cadeau à la commissaire. Depuis, je la seconde dans ses multiples tâches notamment en l'aidant à remettre la dualité linguistique sur les rails.

Comme je suis au courant de toutes les activités de la commissaire et que je connais fort bien l'itinéraire du train des langues officielles, INFOACTION me demande de vous présenter les points saillants de son 3e rapport annuel, ce que je ferai volontiers. Permettez-moi un conseil d'ami : ce numéro d'INFOACTION ne peut que brosser un tableau général. Si vous en avez le temps, lisez le rapport annuel en entier. Vous serez alors un voyageur averti à bord du train des langues officielles.

Donc, en voiture!

Un mot de la commissaire Le début d'une mobilisation certaine

Mon troisième rapport annuel couvre l'exercice clos le 31 mars 2002. J'y incite de nouveau le gouvernement du Canada à presser le pas en lui rappelant la nécessité de faire diligence, car il est temps de remettre solidement notre dualité linguistique sur les rails afin de livrer la marchandise, tel que promis.

Dans mon premier rapport annuel, je dénonçais l'indifférence de nos dirigeants face aux langues officielles et les avais invités à agir rapidement pour redresser la situation. Dans mon deuxième rapport, je me réjouissais du fait que le train avait sifflé et qu'il s'apprêtait à quitter la gare. On se rappellera que le discours du Trône de 2001 annonçait sans équivoque l'intention du gouvernement d'agir pour reconnaître et promouvoir la dualité linguistique.

Le rapport de cette année fait état de certaines mesures prises par le gouvernement pour donner suite à son engagement. Il nous donne aussi l'occasion de poser la question : le train a-t-il réellement quitté la gare? Si je pose la question, c'est que les enjeux sont à la fois importants et urgents. Mon rapport ne manque pas de souligner de nombreuses preuves de l'engagement du gouvernement canadien et de mettre en évidence des initiatives ponctuelles qui méritent d'être louées. En revanche, je me dois de demander au gouvernement que le régime d'application de la *Loi sur les langues officielles* ne se limite pas à un chapelet de réformettes sans cohésion ni finalité. Une fois de plus, ce rapport exprime avec force l'obligation urgente qu'a le gouvernement de se doter d'une vision d'ensemble assortie d'objectifs, d'échéances et de mécanismes d'évaluation de résultats qui assurera le succès de la mise en œuvre d'un plan d'action. Les Canadiens et les Canadiennes, qui ont droit à un véritable esprit de leadership et de respect en matière de droits linguistiques, exigent une telle vision de la part de leur gouvernement.

Les droits linguistiques représentent des valeurs fondamentales, des vertus civiques encore plus importantes à nos yeux depuis les événements du 11 septembre 2001 aux États-Unis, qui nous ont rappelé le devoir d'être solidaires dans la défense de nos droits et libertés. La commémoration du 20^{e} anniversaire de la Charte canadienne des droits et libertés nous appelle une fois de plus à défendre ces valeurs. Non seulement la Charte a-t-elle donné une expression juridique à des droits et à des valeurs chers à la population canadienne, mais elle les a aussi situés dans un contexte social, culturel et linguistique précis, à savoir l'existence de deux grandes communautés linguistiques.

Le train des langues officielles a en effet quitté la gare. Il est vrai que l'équipage devra presser la cadence. En dépit de certains problèmes, j'ai confiance en un trajet sans trop d'embûches. En juin dernier, le président du Conseil privé et ministre des Affaires intergouvernementales, monsieur Stéphane Dion, a rendu publiques les grandes orientations du plan d'action du gouvernement fédéral sur les langues officielles. Il est sur la bonne voie et je compte sur lui pour veiller à ce que le train des langues officielles ne déraille pas au cours du prochain exercice.

Le présent numéro d'INFOACTION se veut un survol très général des points saillants du 31^{e} rapport annuel de la Commissaire aux langues officielles. Je souhaite que ces quelques pages traduisent ma ferme intention de contribuer à persuader les institutions fédérales de la nécessité d'ancrer la dualité linguistique dans leur culture organisationnelle de façon permanente.

Bonne lecture avec LÉON!

Dyane Adam

Les principaux jalons de la route selon Léon

En vous engageant sur la route du rapport annuel, sachez que le document se compose de sept grandes artères qu'on nomme « chapitres » pour les besoins de la cause. Que de matière à visiter!

En bref, voici ce que vous y trouverez :

- ***les trois premiers chapitres*** décrivent successivement l'importance de la dualité linguistique en tant que valeur canadienne fondamentale; les efforts de promotion de la dualité linguistique qu'ont déployés nos dirigeants politiques et administratifs au cours de la dernière année; les divers rôles du Commissariat comme agent de changement;

- ***les quatrième et cinquième chapitres*** examinent la façon dont l'administration fédérale s'est acquittée de ses responsabilités linguistiques en matière de services au public, de langue de travail et de participation équitable des deux groupes linguistiques au sein de ses effectifs;

- ***les deux derniers chapitres*** présentent une foule d'exemples illustrant comment la

commissaire, au cours du dernier exercice, a contribué à la promotion de la dualité linguistique et à l'épanouissement des communautés minoritaires de langue officielle. Vous constaterez qu'elle et son équipe sont de véritables agents de changement.

Voilà la feuille de route qui vous guidera dans votre lecture du rapport annuel.

Vous pouvez consulter le rapport annuel 2001-2002 en entier en vous rendant sur notre site Internet: à la rubrique « Publications », cliquez sur « Rapports ».

Profitez-en pour jeter un coup d'œil à notre nouveau site! Notre adresse : www.ocol-clo.gc.ca.

Vous pouvez aussi commander un exemplaire du rapport annuel 2001-2002 :

- par téléphone : (613) 996-6368 ou 1 877 996-6368;
- par Internet : à la rubrique « Nous joindre », cliquez sur « Commandes ».

Il faut que ça change...et ça change

Dès son entrée en fonction en 1999, la Commissaire aux langues officielles s'est donné comme principale mission de devenir un agent de changement pour que les dirigeants politiques et administratifs du pays parachèvent notre édifice linguistique. Des réflexions ont été entreprises au sein du Commissariat en vue de préciser sa mission et d'optimiser son pouvoir d'influence. Trois grandes orientations s'en sont dégagées :

- enrichir le rôle d'agent de contrôle par une démarche proactive, axée sur la sensibilisation et la prévention;
- mobiliser la fonction publique autour de la dualité linguistique et encourager ses membres à concrétiser, chacun dans sa sphère d'activités, la politique linguistique canadienne;
- coordonner les interventions du Commissariat afin de travailler sur plusieurs fronts à la fois.

Le rapport annuel se penche sur les diverses façons de promouvoir le changement préconisé par la commissaire Adam, ce qui se traduit en six rôles importants que nous résumons ici, tout en précisant les interventions qui se rattachent à ces divers rôles.

	INTERVENTIONS EN 2001-2002
1. RÔLE D'OMBUDSMAN La commissaire reçoit des plaintes, les examine et s'il y a lieu fait enquête. De concert avec les gestionnaires des institutions fédérales, elle recherche avant tout des solutions permanentes en vue d'obtenir des résultats durables. Advenant l'inaction de certaines institutions, la commissaire utilisera des moyens d'intervention plus fermes pour les inciter à modifier leur comportement.	• Plus de 1 200 nouvelles plaintes ont été instruites. • Deux cents recommandations ont été formulées par la suite d'enquêtes. • Quelque 530 demandes de renseignements ont été traitées. • Quelque 15 études et enquêtes spéciales ont été réalisées.
2. RÔLE DE VÉRIFICATION Auprès de l'ensemble des institutions assujetties à la Loi sur les langues officielles, la commissaire doit exercer un rôle de surveillance proactive équivalent à celui du vérificateur général afin d'être en mesure de rapporter fidèlement au Parlement la situation des langues officielles au sein de l'administration fédérale.	La commissaire entend relancer ce rôle, qui avait été délaissé en raison d'un manque de ressources. Ces vérifications jouent un rôle préventif important.
3. RÔLE DE LIAISON La liaison est une activité importante pour le Commissariat, tant à Ottawa que d'un bout à l'autre du pays. Elle s'exerce auprès des institutions, des communautés de langue officielle et des divers ordres de gouvernement. Pour mettre l'accent sur son rôle d'aidant, la commissaire est appuyée par un groupe d'agents de liaison qui collaborent avec les institutions dans leurs efforts en vue d'améliorer la mise en	• Présentations devant les comités de gestion de 10 institutions fédérales. • Environ 75 rencontres ont eu lieu avec des sous-ministres ou des élus. • Environ 30 associations ont été rencontrées.

œuvre de la Loi sur les langues officielles. Cette collaboration s'effectue dans un contexte moins contraignant que celui des enquêtes.	• Plus de 400 lettres ont été envoyées.
4. RÔLE DE VIGIE Ce rôle consiste à agir de façon préventive en intervenant dès l'étape de l'élaboration des lois, des règlements et des politiques pour s'assurer que les droits linguistiques sont au centre des préoccupations de nos dirigeants et dirigeantes. Au cours du dernier exercice, madame Adam a exercé ce rôle dans divers dossiers, notamment ceux de l'immigration, du sport et du transport.	• Sept comparutions ont eu lieu devant des comités parlementaires. • Environ 220 analyses, études (publiées ou non) et notes d'information stratégique ont été produites. • Intervention dans 12 dossiers d'envergure tels l'immigration, la portée des droits linguistiques, Internet, la radiodiffusion, l'instruction dans la langue de la minorité et la santé.
5. RÔLE DE PROMOTION ET D'ÉDUCATION La Loi sur les langues officielles confère à la commissaire un rôle clair de promotion de la dualité linguistique, non seulement au sein de l'administration fédérale mais aussi dans la société canadienne. Ce rôle s'exerce de multiples façons, par exemple au moyen de recherches et d'études, d'activités pour sensibiliser la population aux avantages de la dualité linguistique, d'allocutions, de participation à des colloques, etc.	• Quelque 250 entrevues ont été accordées aux médias. • Quelque 1 800 mentions de la commissaire et/ou du Commissariat dans les médias nationaux. • Onze communiqués de presse ont été diffusés. • Une vingtaine de lettres ont été publiées dans les journaux. • Quelque 33 allocutions de la part de la commissaire. • Participation du Commissariat à 12 stands d'information au pays.
6. RÔLE D'INTERVENTION DEVANT LES TRIBUNAUX Il n'est pas toujours facile de changer les choses et il arrive que la commissaire doive intervenir devant les tribunaux, rôle que lui reconnaît la Loi sur les langues officielles. Au cours des dernières décennies, les commissaires qui ont précédé madame Adam sont eux aussi intervenus devant les tribunaux au nom des droits linguistiques, en particulier le droit à l'instruction dans la langue de la minorité. Au cours de la dernière année, les droits linguistiques ont fait l'objet de quatre jugements importants. La commissaire est intervenue dans chacune des affaires concernées.	• Intervention dans trois nouveaux recours devant les tribunaux : *Baie d'Urfé (Ville) c. Québec (Procureur général), Quigley et Canada (Chambre des communes), Doucet-Boudreau c. Procureur général de la Nouvelle-Écosse.* • Analyses juridiques dans des dossiers d'envergure comme Air Canada, Citoyenneté et Immigration (réglementation), la gestion scolaire, la révision de la *Loi sur les langues officielles* des Territoires du Nord-Ouest, le projet de loi concernant l'article 41 de la *Loi* (projet de loi S-32).

Les six rôles rattachés au mandat de la commissaire s'exercent dans un climat de prévoyance, de dialogue et de respect mutuel. Ce sont des rôles qui nécessitent une écoute attentive à la fois aux doléances de la population canadienne et aux exigences de la dualité linguistique.

Des voyageurs de première classe

À bord du train des langues officielles, certains voyageurs se distinguent en raison du leadership politique et administratif qu'ils exercent. Il n'y a pas que LÉON qui s'en réjouisse! Le deuxième chapitre du rapport annuel vaut la peine d'être lu. En effet, il met en relief certains faits et gestes qui prouvent que de nombreux dirigeants d'institutions fédérales ont réussi à créer un climat de collaboration encourageant tous et chacun à partager une même vision et à contribuer à dorer le blason de la dualité linguistique. Voici quelques exemples de ce leadership politique et administratif en action, qui illustrent leur grande classe.

Prix Leadership

Le tout premier Prix Leadership, dont LÉON est la fière mascotte, a été remporté par le statisticien en chef du Canada, monsieur Ivan P. Fellegi. La commissaire rend ainsi hommage à Statistique Canada qui se distingue par l'excellence des services bilingues offerts au public, par un milieu de travail propice à l'usage des deux langues officielles, par la mise en œuvre de la partie VII de la *Loi sur les langues officielles* et par la gestion du programme des langues officielles.

Le Comité mixte permanent des langues officielles

Voilà un comité qui a été des plus actifs. Il a pris des positions fermes dans plusieurs dossiers dont ceux d'Air Canada et de la télédiffusion des débats parlementaires. Entre autres réalisations, le Comité a présenté un rapport décrivant les attentes des communautés linguistiques envers le plan d'action du gouvernement sur les langues officielles. Soulignons l'engagement du Comité dans la résolution de multiples problèmes de non respect de la *Loi sur les langues officielles* qui perdurent chez Air Canada.

Le Comité sénatorial permanent des affaires juridiques et constitutionnelles

Ce comité a exercé un leadership manifeste dans le dossier de la dualité linguistique. Ses membres se sont adonnés à une réflexion en profondeur suscitée par le dépôt du projet de loi S-32 parrainé par le sénateur Jean-Robert Gauthier qui vise à modifier la *Loi sur les langues officielles* afin de renforcer le caractère exécutoire de l'engagement du gouvernement à l'égard des communautés minoritaires de langue officielle. On sait que plusieurs institutions fédérales profitent de l'ambiguïté qui entoure leurs responsabilités qui découlent de l'article 41 de la *Loi*. La commissaire a comparu devant le Comité et lui a proposé des modifications législatives qui visent à améliorer l'efficacité des mesures adoptées en faveur du développement et de l'épanouissement des communautés.

Le Comité permanent de la citoyenneté et de l'immigration de la Chambre des communes

La *Loi sur l'immigration et la protection des réfugiés* a reçu la sanction royale en novembre 2001. Quelques mois auparavant, la commissaire avait comparu devant le Comité. Elle souhaitait le convaincre d'appuyer certaines modifications à la *Loi sur l'immigration et la protection des réfugiés* afin que les deux collectivités de langue officielle profitent plus équitablement de l'apport migratoire. La commissaire s'est réjouie de constater qu'on avait tenu compte de ses recommandations dans la nouvelle loi. En ce qui concerne le règlement proposé par Citoyenneté et Immigration Canada, le Comité a également tenu compte des observations de la commissaire et a recommandé au ministère de doubler le nombre de points alloués aux immigrants pour la connaissance de la deuxième langue officielle.

Sans dresser ici la liste de tous les « voyageurs de première classe », à l'instar du rapport annuel, nous tenons à souligner le leadership dont font preuve le greffier du Conseil privé et les comités sur les langues officielles des conseils régionaux des hauts fonctionnaires fédéraux (dont INFOACTION vous a d'ailleurs déjà parlé).

Madame Adam n'est pas sans se réjouir de ce que la machine bureaucratique se soit mise en branle... quoiqu'un peu trop lentement à son goût. Le gouvernement s'est quand même affairé au cours du dernier exercice :

- il a inclus les langues officielles dans les priorités stratégiques de la fonction publique;
- il a nommé un ministre responsable, monsieur Stéphane Dion, le chargeant de réunir les forces vives, ce qui contribuera certes à assurer un leadership en matière de langues officielles;
- il a formé un groupe de référence ministérielle pour appuyer sa réflexion sur les langues officielles;
- il a dégagé de nouvelles ressources pour plusieurs projets d'appui au développement des communautés minoritaires de langue officielle, comme par exemple la création d'un institut national de la recherche sur les communautés minoritaires de langue officielle à l'Université de Moncton.

Un programme de formation à distance pour la communauté anglophone du Québec, la formation linguistique des fonctionnaires de la nouvelle Ville d'Ottawa de même que des projets destinés à la jeunesse francophone en milieu minoritaire ont également bénéficié de l'appui du gouvernement.

Oui, il y a du progrès; mais si la commissaire ne cesse d'insister sur l'urgence d'agir plus vite, c'est que le programme des langues officielles n'est pas simplement un programme parmi tant d'autres. C'est une entreprise collective essentielle, « au cœur même de nos valeurs canadiennes », aime-t-elle à répéter. Et c'est une valeur qui doit faire partie du quotidien de chacune des institutions fédérales.

Air Canada : des ailes bilingues?

Le dernier rapport annuel avait fait amplement état des problèmes systémiques d'Air Canada en matière de langues officielles. Durant la dernière année, la Société a une fois de plus été l'institution ciblée par le plus grand nombre de plaintes. La plupart de ces plaintes dénonçaient des problèmes récurrents. Le présent rapport ne manque pas de souligner que le transporteur aérien a néanmoins déployé des efforts encourageants au cours des derniers mois afin de se conformer à la *Loi sur les langues officielles*.

Par suite de divers recours judiciaires et d'une médiation demandée par la Cour, une entente a été conclue entre le Commissariat, Air Canada et les syndicats en novembre 2001. Air Canada doit présenter, avant la fin de l'été 2003, des mesures précises qui refléteront ses discussions avec ses syndicats pour améliorer ses services aux aéroports de Toronto (Pearson) et de Halifax.

Le Comité mixte permanent des langues officielles a demandé à Air Canada de se doter d'un plan d'action qui doit :

- contenir des objectifs précis avec des échéanciers raisonnables;
- prévoir des indicateurs de rendement vérifiables;
- contenir des mesures spécifiques pour régler les difficultés liées à l'acquisition de Canadien international et des transporteurs régionaux.

En août 2000, le ministre des Transports avait demandé à madame Debra Ward, une observatrice indépendante nommée par le gouvernement, d'examiner les répercussions de la fusion Air Canada/Canadien international sur la population canadienne. Le ministère lui a également demandé de se pencher sur la question des langues officielles. Son rapport final a été présenté en septembre et comporte des recommandations pour aider Air Canada à s'acquitter de ses obligations linguistiques.

Air Canada fait montre d'une certaine volonté de changement. Il va sans dire que la commissaire suit l'évolution du dossier de très près. Comme madame Adam l'a souvent souhaité, les voyageurs canadiens sont en droit de s'attendre à de meilleurs services dans leur langue de la part du principal transporteur canadien.

Le parlement dans votre salon

Déposer une plainte auprès du Commissariat aux langues officielles, en réalité, qu'est ce que ça donne? Et si ça changeait les choses... En effet, la plainte d'une seule personne peut servir de catalyseur et entraîner des changements. Le rapport annuel nous en fournit plus d'une preuve et voici un cas dont vous verrez sans doute les résultats dans votre salon.

Les câblodistributeurs canadiens ne sont pas assujettis à la *Loi sur les langues officielles* et ne sont donc

pas tenus de fournir à leurs abonnés la diffusion des débats de la Chambre des communes et des comités parlementaires dans les deux langues officielles. Par conséquent, la population ne peut pas toujours entendre les élus fédéraux dans la langue de son choix.

Une plainte d'un citoyen anglophone du Nouveau-Brunswick, Louis Quigley, pourrait contribuer à changer cet état de fait. Ce dernier dénonçait le fait de ne pas pouvoir bénéficier de la diffusion intégrale des débats dans sa langue. Après enquête, la commissaire conclut que la *Loi sur les langues officielles* oblige la Chambre des communes à s'assurer que le public canadien a un accès égal aux débats parlementaires dans la langue de son choix. Elle demande donc à la Chambre, dans son rapport d'enquête, de mettre en place les mesures qui s'imposent pour corriger la situation. Par ailleurs, madame Adam comparaît devant le Comité mixte permanent des langues officielles pour lui présenter les conclusions de son rapport d'enquête. Le Comité publie un rapport dans lequel il recommande au CRTC d'obliger les câblodistributeurs à diffuser les débats parlementaires dans les deux langues officielles. Au printemps 2002, la commissaire a soumis un mémoire détaillé au CRTC pour expliquer sa position.

Fort déterminé, M. Quigley a déposé un recours pour que la Cour fédérale ordonne à la Chambre des communes de diffuser les débats dans les deux langues. L'affaire a été entendue en Cour fédérale et la commissaire est intervenue afin de défendre ses recommandations ainsi que l'application de la *Loi sur les langues officielles* à la Chambre des communes. En date du 31 mars 2002, la Cour n'avait toujours pas rendu son jugement.*

Aujourd'hui, même si cette question est toujours devant les tribunaux, nous pouvons parler d'un résultat partiel car à l'automne 2001, le CRTC a décidé d'obliger les câblodistributeurs à diffuser les débats de la Chambre des communes dans les deux langues officielles en distribuant aux foyers deux signaux audio au moyen de la technologie SCES.

Voilà une plainte qui aura pour heureux effet de permettre à un plus grand nombre de Canadiens et de Canadiennes d'avoir accès aux débats de la Chambre des communes dans la langue officielle de leur choix.

* En juin 2002, la Cour fédérale a donné raison à M. Quigley et a ordonné à la Chambre des communes de prendre les mesures nécessaires afin de se conformer à la *Loi sur les langues officielles* dans cette affaire. La Chambre des communes a indiqué qu'elle portera ce jugement en appel.

Place aux communautés

Comme toujours, le rapport annuel de la commissaire se fait un devoir de parler des communautés linguistiques. Le présent rapport expose l'évolution de quelques dossiers dans lesquels la commissaire s'est particulièrement engagée. Chaque fois que l'épanouissement des communautés de langue officielle est menacée par une politique ou une décision administrative inconsidérée, la commissaire sonne l'alarme. En voici quelques exemples, parmi tant d'autres, tirés du rapport annuel.

L'hôpital Montfort : heureux épilogue

Le 1er février 2002, en annonçant que le gouvernement de l'Ontario ne porterait pas l'affaire Montfort en Cour suprême, le ministre de la Santé et des Soins de longue durée annonçait du même coup la fin d'une longue et illustre saga. On se souvient que la commissaire avait obtenu le droit d'intervenir en Cour d'appel en faveur de Montfort. Justice Canada et de nombreux intéressés sont également intervenus pour appuyer la communauté franco-ontarienne. Les répercussions de cette victoire collective dépasseront les frontières de l'Ontario. On s'attend à ce que les provinces et territoires tiendront désormais pleinement compte des besoins des communautés minoritaires de langue officielle au moment de procéder à des restructurations, notamment dans le secteur des soins de santé.

La Commission Romanow

La Commission Romanow sur l'avenir des soins de santé au Canada soumettra des recommandations au gouvernement fédéral pour assurer la viabilité du régime des soins de santé au Canada et veiller à ce qu'il reflète les valeurs canadiennes du XXIe siècle. L'enjeu est de taille! La dimension linguistique est au cœur du régime de santé canadien : faut-il rappeler que la communication joue un rôle central dans la prestation de soins de santé de qualité?

En février 2002, la Commission rendait public un rapport d'étape qui ne faisait aucune mention des besoins linguistiques des anglophones et des francophones qui vivent en milieu minoritaire. La commissaire, ainsi que les représentants des communautés minoritaires de langue officielle, sont intervenus auprès de la Commission pour lui rappeler l'importance de la dimension linguistique des soins de santé et l'inciter à orienter une partie de ses travaux sur cette question. La commissaire estime que le rapport final de la Commission Romanow doit absolument recommander la mise en œuvre de mesures pour améliorer les services de santé offerts aux communautés minoritaires de langue officielle, tant francophones qu'anglophones.

Les fusions municipales au Québec

En février 2001, une vingtaine de municipalités du Québec ont déposé devant la Cour supérieure du Québec un recours en injonction en espérant faire invalider la nouvelle loi sur les fusions (loi 170). Certaines de ces municipalités ont aussi contesté la loi 171, adoptée de façon concomitante à la loi 170, qui modifie la *Charte de la langue française* du Québec de manière à restreindre l'octroi du statut bilingue aux nouvelles municipalités et aux nouveaux arrondissements. Ceux d'entre eux qui ne possèdent pas déjà un statut bilingue ne peuvent désormais l'obtenir que si une majorité de leurs citoyens et citoyennes sont de langue maternelle anglaise, plutôt que de simplement parler une autre langue que le français comme c'était le cas auparavant.

La commissaire a obtenu le statut d'intervenante dans la cause, pour contester la validité constitutionnelle des dispositions qui modifient les conditions relatives à l'octroi du statut bilingue, car elle estime que le nouveau critère représente une réduction inconstitutionnelle des droits linguistiques des personnes d'expression anglaise.

La Cour supérieure du Québec et la Cour d'appel du Québec ont toutes deux rejeté les arguments des villes. Le juge de première instance a toutefois reconnu la possibilité d'une future violation de l'article 16 de la *Charte canadienne des droits et libertés* si une municipalité se voyait refuser le statut bilingue en vertu du nouveau critère alors qu'elle aurait pu l'obtenir sous l'ancien régime.

Autres dossiers d'importance

Le rapport annuel traite également d'un certain nombre de dossiers dans lesquels la commissaire s'est particulièrement engagée, dont :

- Révision de la *Loi sur les langues officielles* des Territoires du Nord Ouest.
- Radiodiffusion : augmentation substantielle des services de radiodiffusion de langue française distribués en milieu minoritaire.
- Projet de formation à distance pour les communautés anglophones du Québec.
- L'Institut français de l'University of Regina.
- Radio-Canada : le dossier de la Chaîne culturelle.

Léon recommande...les recommandations de la commissaire

Vous le savez bien mais nous le répétons : la commissaire ne ménage aucun effort quand il s'agit de promouvoir l'égalité réelle du français et de l'anglais au cœur du projet social canadien. Les recommandations qu'elle soumet au gouvernement par le truchement de son rapport annuel se situent précisément dans cette perspective.

Le présent rapport en contient sept. Croyez-moi, parole de LÉON, ces recommandations doivent être prises au sérieux puisqu'elles indiquent au gouvernement comment remettre solidement notre dualité linguistique sur les rails s'il veut livrer la marchandise. INFOACTION vous présente ces recommandations, qui illustrent la volonté de la commissaire d'agir en véritable agent de changement.

Recommandation 1	**Recommandation 2**
La commissaire recommande au gouvernement de définir sans plus tarder son plan d'action sur les langues officielles et d'allouer le financement nécessaire à la	*La commissaire recommande au premier ministre d'accorder au Groupe de référence ministériel sur les langues officielles un statut de comité permanent pour stimuler le leadership aux plus hauts niveaux et appuyer la*

mise en œuvre des mesures qui seront prévues.	*mise en œuvre du plan d'action sur les langues officielles.*
Recommandation 3 *La commissaire recommande au gouvernement de préciser la portée juridique de l'engagement prévu à l'article 41 de la Loi sur les langues officielles et de prendre les mesures nécessaires pour s'acquitter efficacement des responsabilités prévues par cette disposition.*	**Recommandation 4** *La commissaire recommande au greffier du Conseil privé d'inclure les langues officielles au nombre de ses priorités stratégiques pour une période additionnelle de trois ans et d'en faire une priorité obligatoire pour tous les sousministres qui tardent à mettre en œuvre le programme des langues officielles dans leur institution.*
Recommandation 5 *La commissaire recommande au gouvernement d'allouer des ressources adéquates pour que le Secrétariat du Conseil du Trésor puisse assumer pleinement son rôle de surveillance et d'évaluation des organismes fédéraux.*	**Recommandation 6** *La commissaire recommande au gouvernement de veiller à ce que les lois et les politiques qui seront adoptées pour donner suite à l'exercice de modernisation de la gestion des ressources humaines contribuent à réaliser les objectifs de la Loi sur les langues officielles.*
Recommandation 7 *La commissaire recommande au ministère de la Citoyenneté et de l'Immigration d'élaborer des programmes d'appui en vue de mettre en œuvre les dispositions linguistiques de la nouvelle Loi sur l'immigration et la protection des réfugiés. Ces programmes doivent promouvoir les minorités de langue officielle à l'étranger et les aider à améliorer leur capacité d'accueil par des gestes concrets et vérifiables.*	

Un dernier mot de Léon, notre cheminot averti

Depuis le 1er avril 2002, le train des langues officielles a entrepris un nouveau trajet d'une durée de douze mois. Dans son prochain rapport annuel, la commissaire évaluera la performance de tous les voyageurs à bord et surtout de ceux et celles qui en partagent la commande. Ce devrait être un excellent voyage si seulement on met en œuvre les recommandations et les conseils de la commissaire contenus dans son présent rapport.

Moi, LÉON le cheminot averti, je garderai l'œil grand ouvert. Rien ne vous empêche d'en faire autant. Avec moi, tout au long de ce trajet déjà en cours, pourquoi ne pas vérifier les progrès que le gouvernement et la fonction publique réaliseront? Pour vous aider, je vous suggère les points de repère suivants dont il est d'ailleurs question dans le rapport de la commissaire et qui feront l'objet d'un examen particulier dans le rapport de 2002-2003 :

- Le leadership des dirigeants politiques est-il à la hauteur de leurs promesses de reconnaître et de promouvoir les langues officielles, d'un océan à l'autre?
- Les sept priorités que la commissaire a suggérées au gouvernement pour son plan d'action sur les langues officielles seront-elles respectées et mises en œuvre comme il se doit?
- Quant au service au public dans les deux langues officielles, vous êtes les personnes tout indiquées pour constater s'il y a des glissements dans la qualité des services dans l'une ou l'autre langue et pour nous l'indiquer. S'il y a un problème, n'hésitez pas à nous le faire savoir...
- Le français sur Internet. En 1999 et en 2002, la commissaire a recommandé au gouvernement de prévoir le cadre politique et le financement nécessaires pour accroître l'usage du français sur Internet. Il y a eu du progrès mais une affirmation politique claire, une vision globale et une stratégie intégrée se font toujours attendre. Avec LÉON, suivrezvous ce dossier?

Il y a d'autres dossiers encore dont il faudra suivre le déroulement tout au long des prochains mois : les langues officielles dans le système sportif canadien, les langues officielles et l'immigration, le bilinguisme officiel de la capitale nationale, etc.

La commissaire ne reculera pas d'une semelle devant ses objectifs. Que le gouvernement canadien se le

tienne pour dit : il doit faire diligence en matière de dualité linguistique et presser la cadence s'il veut que le train se rende à bon port, celui de l'égalité linguistique la plus entière. Que de marchandise à livrer!

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Aperçu des plaintes déposées au Commissariat en 2001-2002

Figure 1
Répartition des plaintes par région[1]

			Nature des plaintes			
Région	**Plaintes reçues**	**Plaintes instruites [2]**	**Service au public**	**Langue de travail**	**Exigences linguistiques**	**Autres [3]**
Terre-Neuve et Labrador	6	4	4	-	-	-
Île-du-Prince-Édouard	31	21	16	-	5	-
Nouvelle-Écosse	133	112	80	4	3	25
Nouveau-Brunswick	86	70	43	12	14	1
Québec[4]	160	121	78	26	1	16
RCN (Québec)	61	48	33	6	4	5
RCN (Ontario)	301	228	159	50	10	9
Ontario [4]	269	206	185	9	2	10
Manitoba	34	21	21	-	-	-
Saskatchewan	17	15	14	-	-	1
Alberta	57	46	40	1	-	5
Colombie-Britannique	37	32	30	2	-	-
Les territoires [5]	9	5	5	-	-	-
Étranger	21	6	5	-	-	1
TOTAUX	**1,222**	**935**	**713**	**110**	**39**	**73**

[1] Informations tirées de la base de données de la Direction générale des enquêtes.
[2] Près de 80 % des plaintes sont instruites. Les non instruites sont référées au bon endroit ou refusées parce qu'elles ne tombent pas sous la juridiction de la *Loi* et de son Règlement.
[3] La catégorie Autres comprend surtout les plaintes touchant les avis publics, la participation équitable et la partie VII.
[4] À l'exclusion de la région de la capitale nationale (RCN).
[5] Les territoires comprennent le Nunavut, le Yukon et les Territoires du Nord-Ouest.

Figure 2
La répartition, par province et territoire, des 1 222 [1] plaintes déposées

Terre-Neuve et Labrador	6
Île-du-Prince-Édouard	31
Nouvelle-Écosse	133
Nouveau-Brunswick	86
Québec[2]	160
Région de la capitale nationale	362[3]
Ontario[2]	269
Manitoba	34
Saskatchewan	17
Alberta	57
Colombie-Britannique	37
Yukon	7
Territoires du Nord-Ouest	0
Nunavut	2

[1] Ce nombre inclut aussi 21 plaintes touchant des services dispensés à l'étranger.
[2] Ces nombres excluent ceux de la région de la capitale nationale.
[3] 301 du côté de l'Ontario et 61 du côté du Québec.

Figure 3
Les institutions ayant fait l'objet de plus de 15 plaintes recevables et leur statut

Ministère/Institution	Fondées	Non fondées	En cours d'instruction	Autres	TOTAL
Air Canada	21	7	114	1	**143**
Développement des ressources humaines Canada	50	3	41	-	**94**
Société canadienne des poste	50	5	34	-	**89**
Agence des douanes et du revenu du Canada	26	6	24	-	**56**
Statistique Canada	24	3	4	2	**33**
Travaux publics et Services gouvernementaux Canada	16	4	12	-	**32**
Défense nationale	7	1	22	-	**30**
Gendarmerie royale du Canada	7	3	19	-	**29**
Administration de l'aéroport international d'Ottawa	9	5	13	-	**27**
Administration de l'aéroport international d'Halifax	9	0	17	-	**26**
Citoyenneté et Immigration Canada	16	0	6	-	**22**
Service correctionnel du Canada	4	3	13	-	**20**
Environnement Canada	5	0	11	2	**18**
Santé Canada	8	5	4	-	**17**
Industrie Canada	5	5	5	-	**15**
Patrimoine canadien	3	3	9	-	**15**

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